

Subchapter 3

Determination of Indigency and Eligibility for Public Defender Services

2.69.301 DETERMINATION OF INDIGENCY (1) The office shall prepare forms to capture financial information from an applicant for public defender services.

(2) The office shall distribute the forms to courthouses, jails, and other venues determined appropriate by the office.

(3) The applicant will complete the forms in accordance with instructions provided on the forms and forward them to the appropriate regional office.

(4) The staff of the regional office shall review an applicant's forms and determine whether, based on the provisions of 47-1-111, MCA, an applicant is indigent and qualifies for public defender services. The applicant will be notified of this determination, regardless of outcome.

(5) All information collected on the forms shall be treated as confidential except:

(a) as required in 47-1-111, MCA; or

(b) when judicial review of the determination is requested by the applicant.

At that time, the forms shall be submitted to the court for *in camera* inspection.

(History: 47-1-105, 47-1-111, MCA; IMP, 47-1-105, 47-1-111, MCA; NEW, 2006 MAR p. 2572, Eff. 10/27/06.)

Subchapters 4 and 5 reserved